

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
SASCHA HENRY, Cal. Bar No. 191914
3 shenry@sheppardmullin.com
333 South Hope Street, 43rd Floor
4 Los Angeles, CA 90071-1422
Telephone: 213.620.1780
5 Facsimile: 213.620.1398

6 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
7 Including Professional Corporations
ABBY H. MEYER, Cal. Bar No. 294947
8 ameyer@sheppardmullin.com
650 Town Center Drive, Fourth Floor
9 Costa Mesa, CA 92626-1993
Telephone: 714.513.5100
10 Facsimile: 714.513.5130

11 Attorneys for Defendant Younique, LLC

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION
14

15 MEGAN SCHMITT, DEANA
16 REILLY, CAROL ORLOWSKY, and
STEPHANIE MILLER BRUN,
17 individually and on behalf of
themselves and all others similarly
18 situated,

19 Plaintiffs,

20 v.

21 YOUNIQUE, LLC

22 Defendant.

Case No. 8:17-cv-01397-JVS-JDE

**STIPULATION EXTENDING TIME
TO FILE MOTION FOR CLASS
CERTIFICATION PER L.R. 23-3
AND EXTENDING TIME TO FILE
MOTION TO DISMISS**

The Hon. James V. Selna
Santa Ana, Courtroom 10C

Complaint filed: August 14, 2017
Trial Date: None Set

23
24 **STIPULATION**

25 Whereas, Plaintiff Megan Schmitt personally served her Class Action
26 Complaint on August 17, 2017;
27
28

1 Whereas, pursuant to Local Rule 7.3 and the Court's Initial Order Following
2 Filing of Complaint Assigned to Judge Selna [Dkt. No. 37], the parties met and
3 conferred regarding a proposed motion to dismiss;

4 Whereas, consistent with the Stipulation filed on September 26, 2017 [Dkt.
5 39], Plaintiff Schmitt and three additional named plaintiffs filed their First Amended
6 Class Action Complaint on October 13, 2017;

7 Whereas, pursuant to Local Rule 7-3 and the Court's Initial Order, the parties
8 have met and conferred regarding the First Amended Class Action Complaint, and
9 Defendant will be filing a motion to dismiss same;

10 Whereas, Local Rule 23-3 requires Plaintiffs to file a motion for certification
11 that the instant action is maintainable as a class action within 90 days of service of
12 the original complaint;

13 Whereas, the Court has granted two previous extensions, although the first
14 was granted prior to the parties being able to meet and confer on the original class
15 action complaint, and the second arose from the parties' meet and confer and
16 Plaintiff's agreement to amend the original class action complaint;

17 Whereas, the mutual extensions are requested so that the parties can complete
18 their briefing;

19 Based on these facts, the parties hereby stipulate and request that the Court
20 allow Defendant a three-week extension to file its motion to dismiss (i.e., extending
21 the due date from November 3, 2017, to November 24, 2017); and allow Plaintiffs a
22 commensurate extension for their opposition. The parties further hereby stipulate
23 and request that the time frame for Plaintiffs to move for class certification under
24 L.R. 23-3 be extended, with the new date to be set by the Court in its Rule 16
25 Scheduling Order.

1 Dated: November 2, 2017

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3
4 By /s/ Sascha Henry
5 SASCHA HENRY
6 ABBY H. MEYER
7 Attorneys for Defendant Younique, LLC

8 Dated: November 2, 2017

9 THE SULTZER LAW GROUP P.C.

10
11
12 By /s/ Adam Gonnelli
13 ADAM GONNELLI
14 Attorneys for Plaintiffs

15 **ATTESTATION**

16 Pursuant to L.R. 5-4.3.4, I hereby attest that all signatories listed above,
17 and on whose behalf this filing is submitted, concur in the filing's content and have
18 authorized the filing.

19 Executed this 2nd day of November 2017 at Los Angeles, California.

20
21
22 /s/ Sascha Henry
23 SASCHA HENRY